

Justice-I Section

Q.No.1: What is the duration of vacations/holidays in the Supreme Court?

Ans: Working days/hours in the Supreme Court are regulated by Rules framed by the Supreme Court. These rules provide that the period of summer vacation shall not exceed seven weeks. The Rules further provide that the length of the summer vacation and the number of holidays for the court and the offices of the court shall be such as may be fixed by the Chief Justice and notified in the official gazette so as not to exceed 103 days excluding Sundays not falling in the vacation and during Court holidays. The Supreme Court has been working on 222 days in a year.

Q.No.2: What is the number of holidays in the High Courts?

Ans: The duration of vacations in the High Court is regulated by the Rules/Procedures framed by the concerned High Court. High Courts generally enjoy 20 holidays in a year beside Christmas and winter holidays and summer vacations and the number of working days of High Courts generally do not fall below 222 days in a year.

Q.No.3: What is the language used in Supreme Court and High Courts in their proceedings?

Ans: Article 348(1) of the Constitution of India provides that all proceedings in the Supreme Court and in every High Court shall be in English language until Parliament by law provides otherwise. No law has since been made in this regard by the Parliament.

Article 348(2) of the Constitution provides that the Governor of the State may, with the previous consent of the President, authorize the use of Hindi language or any other language used for any official purpose of the State, in proceedings of the High Court having its principal seat in that state, provided that decrees, judgments or orders passed by such High Courts shall be in English.

Q.No.4: Whether Hindi is being used in some of the High Courts in their proceedings?

So far the Governors of four States namely; Bihar, Madhya Pradesh, Uttar Pradesh and Rajasthan have authorized the use of Hindi in addition to English language in the proceedings of the High Courts in their States.

Q.No.5: Is there any provision for reservation in Higher Judiciary?

Ans: Appointment of Judges of the Supreme Court and High Courts is made under Articles 124 and 217 of the Constitution of India respectively. These Articles do not provide for reservation for any caste or class of persons.

The Government has, however, requested the Chief Justices of High Courts that while sending proposals for appointment of Judges, due consideration be given to suitable candidates belonging to OBC, SC, ST and Minorities.

Q.No.6: Whether reservation is applicable in recruitment and promotion of Judicial Officers in the District and Subordinate courts?

Ans: Under the Constitution of India, recruitment and promotion of Judicial Officers in the District and Subordinate Courts in the country fall within the purview of the State Governments. Most of the States have provisions for reservation of posts in State Judicial Services for eligible candidates belonging to SC/ST/OBC category.

Q.No.7: Is there any proposal for creating parity in pension of High Court Judges from the BAR?

Ans: The Hon'ble Supreme Court had, inter-alia, allowed the prayer in a Writ Petition titled as 'P. Ramakrishnam Raju Vs Union of India & Others vide judgment dated 31.3.2014 directing that "for pensionary benefits, ten years practice as an advocate be added as qualifying service for Judges elevated from the Bar with effect from the 1st April, 2004, the date on which Section 13A was inserted by the High Court and Supreme Court Judges (Salaries and Conditions of Service) Amendment Act, 2005 (46 of 2005). In view of the above order, Government has approved appropriate amendment to the High Court Judges (Salaries and Conditions of Service) Amendment Act, 1954. Accordingly, "The High Court and the Supreme Court Judges (Salaries and Conditions of Service) Amendment Bill, 2015" has been introduced in the Lok Sabha on 13.08.2015.

Q.NO.8: What action is taken by Department of justice on the grievances sent by the general public against the Judiciary?

Ans: The Applications are forwarded to the Registrar General of concerned High Courts for further action, as appropriate, with a copy to the applicant.

Q.NO.9: What action is taken on the grievances against Judges of the High Courts and Supreme Court?

Ans: The Complaints are forwarded to the Secretary General of the Supreme Court of India for further action, as appropriate, with a copy to the Applicant.

Q.NO. 10: What action is taken on complaints received against Officials of State Governments?

Ans: The complaints are sent to the Chief Secretary of the State concerned for taking appropriate action with copy endorsed to the applicant.

Q.NO. 11: What action needs to be taken by the applicant after the application has been forwarded to concerned High Court or Supreme Court?

Ans: The applicant has to take-up the issue further with the authorities in the High Courts and Supreme Court to whom the letter has been sent by Department of Justice. The Judiciary is independent in India and, hence, Department of justice does not ask for Action Taken Report from the Courts or send reminders. However, all High Courts and the Supreme Court have an in-house mechanism to deal with grievances.

Q.NO. 12: What action is taken on the grievance against Registrar Generals of High Courts and the Secretary General of the Supreme Court?

Ans: The complaints are sent to the PPS of Hon'ble Chief Justice and Hon'ble Chief Justice of India respectively.